

**FILED**

September 15, 2021

KAREN MITCHELL  
CLERK, U.S. DISTRICT  
COURT

United States Court of Appeals  
for the Fifth Circuit

United States Court of Appeals  
Fifth Circuit

**FILED**

August 23, 2021

Lyle W. Cayce  
Clerk

JAMES R. HESTER,

*Plaintiff—Appellant,*

*versus*

BELL-TEXTRON, INCORPORATED.,

*Defendant—Appellee.*

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Appeal from the United States District Court  
for the Northern District of Texas  
USDC No. 4:20-CV-514.P

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Before DENNIS and ENGELHARDT, *Circuit Judges*, and HICKS,<sup>\*</sup> *Chief District Judge*.

J U D G M E N T

This cause was considered on the record on appeal and was argued by counsel.

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<sup>\*</sup> Chief District Judge for the Western District of Louisiana, sitting by designation.

IT IS ORDERED and ADJUDGED that the judgment of the District Court is REVERSED and REMANDED to the District Court for further proceedings in accordance with the opinion of this Court.

IT IS FURTHER ORDERED that defendant-appellee pay to plaintiff-appellant the costs on appeal to be taxed by the Clerk of this Court.



Certified as a true copy and issued  
as the mandate on Sep 14, 2021

Attest: *Jyle W. Cayce*  
Clerk, U.S. Court of Appeals, Fifth Circuit